

Exhibit 10

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

KIMBERLEE WILLIAMS, et al.,

Plaintiffs,

V.

Case No. 2:11-cv-1754-JLL-JAD

BASF CATALYSTS LLC, et al.,

Defendants.

**ORDER FROM SPECIAL MASTER
RE ECF NO. 229**

THIS MATTER having been opened by the January 26, 2017 application of third-party witnesses The Rothenberg Law Firm, L.P. (“Rothenberg”) and Jeffrey C. Schwartz, Esq. (“Schwartz”) (Wilentz, Goldman & Spitzer, P.A. and Stief, Gross & Sagoskin, P.C., appearing), for an order quashing the subpoena *duces tecum* addressed to Rothenberg and the subpoena *duces tecum* and notice of deposition addressed to Schwartz, and for an order requiring that defendant BASF Catalysts, LLC (“BASF”) pay any reasonable costs associated with the re-opening and review of the files under subpoena [ECF No. 229];

AND, on February 7, 2017, BASF (Kirkland & Ellis LLP and Robinson Miller LLC, appearing), having filed its opposition to the application by Rothenberg and Schwartz [ECF No. 237];

AND, on February 13, 2017, Rothenberg and Schwartz having filed their reply to BASF's opposition to their application [ECF No. 239];

AND, on February 21, 2017, plaintiffs Kimberlee Williams, Nancy Pease, Marilyn L. Holley, Donna Ware, Donnette Wengerd, and Rosanne Chernick, each in their capacity as the personal representative of a decedent and as representatives of others similarly situated (“plaintiffs”) (Cohen, Placitella & Roth, P.C., and Fox Rothschild LLP, appearing) having filed their support for Rothenberg’s and Schwartz’s motion to quash [ECF No. 243];

AND, on March 3, 2017, BASF filed its response to plaintiffs’ filing in support of Rothenberg’s and Schwartz’s motion to quash [ECF No.251];

AND, also on March 3, 2017, defendants Cahill Gordon & Reindel LLP, Howard G. Sloane, and Ira J. Dembrow (Williams & Connolly LLP and Connell Foley LLP, appearing), having joined in BASF’s opposition to Rothenberg’s and Schwartz’s motion to quash [ECF No. 266];

AND, oral argument on the foregoing having been heard on October 26, 2017;

AND, the written and oral submissions of the parties having been considered;

AND, for the reasons set forth on the record on October 26, 2017;

AND, for good cause appearing;

IT IS, this 26th day of October, 2017, hereby

1. **ORDERED** that Rothenberg’s and Schwartz’s application be, and the same hereby is, **GRANTED IN PART and DENIED IN PART**; and it is hereby

2. **FURTHER ORDERED** that, in respect of the files of any of the representative plaintiffs named in this action maintained by Rothenberg and/or Schwartz, Christopher M. Placitella, Esq. be, and the same hereby is **ORDERED** that he shall

(a) review all such files retained by Rothenberg and/or Schwartz and cause each page to be Bates-numbered;

(b) segregate the documents contained in those files into two categories: non-privileged documents and documents under a claim of privilege;

(c) generate a privilege log listing any document in those files in respect of which a privilege is claimed;

(d) by no later than November 2, 2017, electronically transfer to Eugene F. Asssaf, P.C. copies of all non-privileged documents in those files and the privilege log in respect of each of those files, all in portable document format (.pdf) with optical character recognition (OCR);

(e) by no later than November 2, 2017, electronically transfer to the special master copies of all privileged documents in those files and the privilege log in respect of each of those files, all in .pdf format with OCR; and it is hereby

3. FURTHER ORDERED that, in respect of the files of any putative plaintiffs in this action maintained by Rothenberg and/or Schwartz, Christopher M. Placitella, Esq. be, and the same hereby is **ORDERED** that he shall

(a) randomly and arbitrarily select eighteen (18) of such files retained by Rothenberg and/or Schwartz and cause each page in the randomly and arbitrarily selected files to be Bates-numbered;

(b) segregate the documents contained in those files into two categories: non-privileged documents and documents under a claim of privilege;

(c) generate a privilege log listing any document in those files in respect of which a privilege is claimed;

(d) by no later than November 27, 2017, electronically transfer to Eugene F. Asssaf, P.C. copies of all non-privileged documents in those files and the privilege log in respect of each of those files, all in .pdf format with OCR;

(e) by no later than November 27, 2017, electronically transfer to the special master copies of all privileged documents in those files and the privilege log in respect of each of those files, all in .pdf format with OCR; and it is hereby

4. FURTHER ORDERED that, save and except as otherwise granted by this order, Rothenberg's and Schwartz's application be, and the same hereby is, **DENIED WITHOUT PREJUDICE.**

/s/ Roberto A. Rivera-Soto

Roberto A. Rivera-Soto
Special Master